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EXAMINER

COLAN, GIOVANNA B

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,681

Applicant(s)

MARMAROS ET AL.

Examiner

Giovanna Colan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address.--

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 54-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 54-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is issued in response to the Amendment filed on 10/03/2006.
2. Claims 6, and 58 were amended. Claims 23 – 53 were canceled. No claims were added.
3. This action is made Final.
4. Claims 1 – 22, and 54 – 59 are pending in this application.
5. Applicant's arguments filed on 10/03/2006 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

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not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1 – 8, 10 – 13, 15 – 22, and 54 – 59 rejected under 35 U.S.C. 103(a) as being unpatentable over Awadallah et al. (Awadallah hereinafter) (US Patent App. Pub. 2005/0027699 A1, filed on August 1, 2003) in view of Microsoft Corporation (Microsoft hereinafter) (NPL: "Find and Return to Web Page You've Recently Visited", Posted March 26, 2003, Internet Explorer, Microsoft Corporation).

Regarding Claims 1, Awadallah discloses a method for providing search results, comprising:

receiving a search query (Fig. 1, item 152, Page 4, [0041], lines 1 – 2, Awadallah);

receiving first search results based at least in part on a search performed using the search query (Fig. 1, item 154, Page 4, [0041], lines 2 – 4, Awadallah);

Awadallah further discloses history database storing information regarding prior document accesses (Page 4 and 5, [0039] and [0051], lines 6 – 15 and 12 – 15, a previous search history; respectively, Awadallah) and obtaining a second search results (Page 4, [0041], lines 4 – 8, candidate search results, Awadallah). However, Awadallah does not expressly disclose: performing a search of a history database using the search query to obtain these second search results. On the other hand, Microsoft discloses performing a search of a history database using the search query to obtain the second

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search results (Page 4, para. 1, lines 1 – 4, Microsoft), the history database storing information regarding prior document accesses (Page 1, para. 1, lines 1 – 7, Microsoft). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Microsoft's teachings to the system Awadallah. Skilled artisan would have been motivated to do so, as suggested by Microsoft (Page 2, para1, lines 1 – 4, Microsoft), to allow users to find and/ or return to interesting web pages that they visited today of a few weeks ago. In addition, both of the references (Awadallah and Microsoft) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, databases management systems, search engines, receiving queries, search results, and search histories. This close relation between both of the references highly suggests an expectation of success.

The combination of Awadallah in view of Microsoft ("Awadallah/Microsoft" hereinafter) further discloses:

modifying the first search results based at least in part on the second search results (Page 6, [0065], lines 20 – 28, Awadallah¹); and

outputting the modified first search results (Page 2, [0020], lines 1 – 8, links displayable on a webpage, Awadallah).

Regarding Claims 2, Awadallah/Microsoft discloses a method, wherein the receiving first search results includes:

¹ Wherein the step of combining the listing of search results corresponds to the step of modifying the results claimed.

transmitting the search query to an external search engine (Fig. 1, item 152, Page 4, [0041], lines 1 – 2, Awadallah), the search engine generating the first search results (Fig. 1, item 154, Page 4, [0041], lines 2 – 4, Awadallah);

intercepting the first search results (Page 4, [0044], lines 5 – 9, Awadallah), and parsing the first search results to identify information contained in the first search results (Page 4, [0044], lines 5 – 9, selected from candidate results, Awadallah).

Regarding Claims 3, Awadallah/Microsoft discloses a method, wherein the performing a search of history database includes:

identifying one or more search terms used in the search query (Page 4, para. 2, lines 1 – 2, type the term or phrase you're looking for, Microsoft),

using the one or more search terms to search the history database (Page 4, para. 2, lines 1 – 2, click search Now, Microsoft).

Regarding Claims 4, Awadallah/Microsoft discloses a method, wherein the one or more search terms are identified from information returned from a search engine (Page 2, [0023], lines 1 – 4, Awadallah).

Regarding Claims 5, Awadallah/Microsoft discloses a method, wherein the first search results include links to documents (Page 2, [0020], lines 5 – 8, the links comprise the search results, documents, Awadallah).

Regarding Claims 6, Awadallah/Microsoft discloses a method, further comprising:
ranking the second search results by at least one of date (Page 3, para. 3, lines 1 –2, by date, Awadallah), relevancy to the search query (Page 3, para. 3, lines 1 –2, by most visited, Awadallah), or how much the second search results are thought to be liked by a user (Page 3, para. 3, lines 1 –2, by most visited, Awadallah).

Regarding Claims 7, Awadallah/Microsoft discloses a method, wherein the modifying the first search results includes:

determining whether a top one or more of the second search results are included in the first search results (Page 4, [0041] and [0044], lines 13 – 15 and 7 – 9; respectively, Awadallah²), and

adding the top one or more of the second search results to the first search results when the top one or more of the second search results are not included in the first search results (Page 4, [0041], lines 11 – 16, composite search results, Awadallah).

Regarding Claims 8, Awadallah/Microsoft discloses a method, wherein the adding the top one or more of the second search results includes:

placing the top one or more of the second search results at a prominent position in the first search results (Page 4, [0045], lines 1 – 5, Awadallah).

² Wherein the step of returning different or equal combined results corresponds implies the step of determining whether the top one or more second results are included in the first search results as claimed.

Regarding Claims 10, Awadallah/Microsoft discloses a method, wherein the modifying the first search results includes:

determining whether one or more of the second search results are included in the first search results (Page 4, [0041], lines 13 – 15, returns a composite of different amounts of candidate search results, Awadallah), and

reordering the first search results when the one or more of the second search results are included in the first search results (Page 5, [0045], lines 13 – 17, Awadallah).

Regarding Claims 11, Awadallah/Microsoft discloses a method, wherein the reordering the first search results includes:

moving positions of the one or more of the second search results within the first search results (Page 5, [0045], lines 13 – 17, Awadallah).

Regarding Claims 12, Awadallah/Microsoft discloses a method, wherein the moving positions of the one or more of the second search results includes moving the one or more of the second search results a predetermined number of positions toward a top of the first search results (Page 5, [0045] and [0052], lines 13 – 17 and 7 – 13, ranking; respectively, Awadallah).

Regarding Claims 13, Awadallah/Microsoft discloses a method, wherein the predetermined number of positions is user-configurable (Page 5, [0052], lines 9 – 13, Awadallah).

Regarding Claims 15, Awadallah/Microsoft discloses a method, wherein the modifying the first search results includes:

analyzing the first search results against the information in the history database, and reordering the first search results based at least in part on the analysis (Page 5, [0052], lines 6 – 9, Awadallah³).

Regarding Claims 16, Awadallah/Microsoft discloses a method, wherein the reordering the first search results includes moving positions of one or more of the first search results when the one or more of the first search results match information in the history database (Page 5, [0052], lines 7 – 13, Awadallah⁴; and Page 3, para. 3, lines 1 – 4, choose how you want to sort the web pages, Microsoft).

Regarding Claims 17, Awadallah/Microsoft discloses method, wherein the second search results are associated with local documents (Page 2, [0020], lines 5 – 8, Awadallah).

Regarding Claims 18, Awadallah/Microsoft discloses a method, wherein the local documents include at least one of e-mails, images, application files, audio files, and video files (Page 2, [0020], lines 5 – 8, Awadallah).

³ Wherein the step of using a side- by- side comparison corresponds to the step of analyzing claimed.

Regarding Claims 19, Awadallah/Microsoft discloses a method, wherein the second search results are associated with local documents and non-local documents (Page 2, [0020], lines 5 – 13, web pages, advertisements, Awadallah; and Page 3, para.3, lines 1 – 4, Web pages, Microsoft).

Regarding Claims 20, Awadallah/Microsoft discloses a system for providing search results, comprising:

means for obtaining first search results based at least in part on a search performed on a document corpus using a search query (Fig. 1, item 154, Page 4, [0041], lines 2 – 4, Awadallah);

means for generating second search results based at least in part on a search performed on information regarding prior document accesses using the search query (Page 4, [0041], lines 4 – 8, candidate search results, Awadallah; and Page 4, para. 1, lines 1 – 4, Microsoft);

modifying the first search results based at least in part on the second search results (Page 6, [0065], lines 20 – 28, Awadallah⁵);

outputting the modified first search results (Page 2, [0020], lines 1 – 8, links displayable on a webpage, Awadallah).

Regarding Claims 21, Awadallah/Microsoft discloses a system, comprising:

⁴ Wherein the step of ranking the desirability corresponds to the step of reordering claimed; and the step of comparing the response corresponds to the step of matching claimed.

⁵ Wherein the step of combining the listing of search results corresponds to the step of modifying the results claimed.

a history database configured to store information regarding prior document accesses by a user (Page 1 and 4, para. 1 and 1, lines 1 – 7 and 1 – 4; respectively, Microsoft); and

a browser assistant (Page 4, [0040], lines 1 – 2, browser, Awadallah) configured to:

obtain first search results based at least in part on a search performed on a document corpus using a search query (Fig. 1, item 154, Page 4, [0041], lines 2 – 4, Awadallah),

obtain second search results based at least in part on a search performed on the history database using the search query (Page 4, [0041], lines 4 – 8, candidate search results, Awadallah; and Page 4, para. 1, lines 1 – 4, Microsoft), modify the first search results based at least in part on the second search results (Page 6, [0065], lines 20 – 28, Awadallah⁶), and

present the modified first search results to the user (Page 2, [0020], lines 1 – 8, links displayable on a webpage, Awadallah).

Regarding Claims 22, Awadallah/Microsoft discloses a computer-readable medium that stores instructions executable by at least one processor to perform a method for providing search results, the computer-readable medium comprising:

instructions for obtaining a search query (Fig. 1, item 152, Page 4, [0041], lines 1 – 2, Awadallah);

instructions for obtaining first search results based at least in part on a search performed using the search query (Fig. 1, item 154, Page 4, [0041], lines 2 – 4, Awadallah);

instructions for performing a search of a history database using the search query to obtain second search results (Page 4, [0041], lines 4 – 8, candidate search results, Awadallah; and Page 4, para. 1, lines 1 – 4, Microsoft), the history database storing information regarding previous document accesses (Page 1, para. 1, lines 1 – 7, Microsoft);

instructions for modifying the first search results based at least in part on the second search results (Page 6, [0065], lines 20 – 28, Awadallah⁷); and

instructions for presenting the modified first search results (Page 2, [0020], lines 1 – 8, links displayable on a webpage, Awadallah).

Regarding Claims 54, Awadallah/Microsoft discloses a method comprising:
receiving a search query (Fig. 1, item 152, Page 4, [0041], lines 1 – 2, Awadallah);

searching a history database based at least in part on the search query to obtain search results (Page 4, [0041], lines 4 – 8, candidate search results, Awadallah; and Page 4, para. 1, lines 1 – 4, Microsoft), the history database storing information regarding previous document accesses (Page 1, para. 1, lines 1 – 7, Microsoft);

⁶ Wherein the step of combining the listing of search results corresponds to the step of modifying the results claimed.

⁷ Wherein the step of combining the listing of search results corresponds to the step of modifying the results claimed.

obtaining one or more advertisements relating to the search query (Page 2 and 5, [0020] and [0046], lines 14 – 18 and 1 – 4; respectively, “a search results page may contain advertisements that were generated in response to a query”, Awadallah); and

presenting the search results (Page 2, [0020], lines 1 – 18, links displayable on a webpage, Awadallah) and the one or more advertisements (Page 5, [0046], lines 1 – 4, Awadallah).

Regarding Claims 55, Awadallah/Microsoft discloses a method, wherein the obtaining one or more advertisements includes:

sending the search query to an external server (Page 4, [0040], lines 5 – 10, Awadallah), and

obtaining, from the external server, the one or more advertisements that relate to the search query (Page 5, [0046], lines 1 – 7, Awadallah).

Regarding Claims 56, Awadallah/Microsoft discloses a method for providing search results, comprising:

receiving a search query (Fig. 1, item 152, Page 4, [0041], lines 1 – 2, Awadallah),

receiving first search results based at least in part on a search performed using the search query (Fig. 1, item 154, Page 4, [0041], lines 2 – 4, Awadallah);

performing a search of a history database using the search query to obtain second search results (Page 4, [0041], lines 4 – 8, candidate search results, Awadallah;

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and Page 4, para. 1, lines 1 – 4, Microsoft), the history database storing information regarding prior document accesses (Page 1, para. 1, lines 1 – 7, Microsoft);

presenting the first search results and the second search results (Page 2, [0020], lines 1 – 8, links displayable on a webpage, Awadallah).

Regarding Claims 57, Awadallah/Microsoft discloses a method, wherein the presenting the first search results and the second search results includes placing the first search results in a first window and the second search results in a second window (Page 4, [0045], lines 1 – 5, search results page in distinctly different regions, Awadallah).

Regarding Claims 58, Awadallah/Microsoft discloses a method, wherein the second window is one of a pop-up or a drop-down window (Page 1, para. 3, figure showing the “Forward button on the Internet”, Microsoft).

Regarding Claims 59, Awadallah/Microsoft discloses a method, wherein the presenting the first search results and the second search results includes incorporating the first search results and the second search results in a same window (Page 4, [0045], lines 1 – 5, results from source 1, results from source 2... are placed on a search results page, Awadallah).

9. Claims 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Awadallah et al. (Awadallah hereinafter) (US Patent App. Pub. 2005/0027699 A1, filed on August 1, 2003) in view of Microsoft Corporation (Microsoft hereinafter) (NPL: "Find and Return to Web Page You've Recently Visited", Posted March 26, 2003, Internet Explorer, Microsoft Corporation), and further in view of Milic-Frayling et al. (Milic-Frayling hereinafter) (US Patent No. 6,968,332 B1, filed: May 25, 2000).

Regarding Claims 9, Awadallah/Microsoft discloses a method, wherein the adding the top one or more of the second search results further includes: the top one or more of the second search results at the prominent position in the first search results (Page 4, [0045], lines 1 – 5, Awadallah). However, Awadallah/Microsoft is silent with respect to highlighting. On the other hand, Milic-Frayling discloses highlighting documents searched according to their relevance (Col. 16, lines 28 – 33, Milic-Frayling). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Milic-Frayling's teachings to the system of Awadallah/Microsoft. Skilled artisan would have been motivated to do so, as suggested by Milic-Frayling (Col. 16, lines 42 – 49, Milic-Frayling), to facilitated reading, comprehension, and assimilation of information found in the accessed documents, and to assess and rank search engines in a consisted manner. In addition, both of the references (Awadallah, Microsoft, and Milic-Frayling) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, databases

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management systems, search engines, querying search engine, and ranking. This close relation between both of the references highly suggests an expectation of success.

Regarding Claims 14, the combination of Awadallah in view of Microsoft and further in view of Milic-Frayling ("Awadallah/Microsoft/Milic-Frayling" hereinafter) discloses a method, wherein the modifying the first search results includes:

determining whether one or more of the second search results are included in the first search results (Page 4, [0041] and [0044], lines 13 – 15 and 7 – 9; respectively, Awadallah⁸), and

highlighting the first search results when the one or more of the second search results are included in the first search results (Col. 16, lines 28 – 33, Milic-Frayling).

Response to Arguments

1. Applicant cannot show non-obviousness by attacking references individually where, as here, the rejections are based on a combination of references.

In re Keller, 208 USPQ 871 (CCPA 1981).

2. Applicant argues that the office action fails to disclose *prima facie* case of obviousness.

Examiner respectfully disagrees. According to MPEP § 2142, to establish *prima facie* case of obviousness three basic criteria must be met. **First**, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. The prior art discloses a suggestion for combining the references (Page 1, and 2, para. 1 and 1, lines 1 – 7, and 1 – 4; respectively, Microsoft). As suggested by Microsoft, skilled artisan would have been motivated to make such combination, to allow users to find and/ or return to interesting web pages that they visited today of a few weeks ago; and to make it easy to find and return to Web sites and pages you've visited in the past. Whether it's today or a few weeks ago, the History list can record every page you visit, so it's easy to go back later on. **Second**, there must be a reasonable expectation of success. The prior art suggests a successful outcome of this combination, such as, to easily find and return to Web sites and pages you've visited in the past. **Third**, both of the references (Awadallah and Microsoft) teach

⁸ Wherein the step of returning different or equal combined results corresponds implies the step of determining whether the top one or more second results are included in the first search results as claimed.

features that are directed to the same industry field of database management systems, such as, search engines, receiving queries, search results, and search histories. This close relation between both of the references highly suggests an expectation of success. Therefore, the combination of Awadallah in view of Microsoft discloses all the claim limitations disclosed in the claimed invention (see- citations of claims 1 – 8, 10 – 13, 15 – 22, and 54 – 59 above).

3. Applicant argues that the prior art fails to disclose; “modifying first search results, received based at least in part on a search performed using a search query, based at least in part on second search results, obtained by performing a search of a history database using the search query”.

Examiner respectfully disagrees. The combination of Awadallah in view of Microsoft does disclose modifying first search results (Page 6, [0065], lines 20 – 28, Wherein the step of combining the listing of search results corresponds to the step of modifying the results claimed; Awadallah), received based at least in part on a search performed using a search query (Fig. 1, item 106, and 154, Page 4, [0041], lines 1 – 8, “Query 152 is the query sent from user to primary search engine 106. Composite search results 154 are the search results returned by primary search engine as an answer to query 152 ...”; Awadallah), based at least in part on second search results (Page 5, [0045], lines 9 – 17, “results from source 1, (202), results **from source 2** (204), and a results from source 3 (206) may be mixed together Optionally, the mixture of results from different sources may be ordered according to a ranking ...”; wherein source 2 corresponds to second search results claimed; Awadallah) obtained by performing a

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search of a history database using the search query (Page 4, and 5, [0039], and [0051], lines 6 – 15 and 12 – 15; respectively, wherein the previous search history corresponds to the history database claimed; Awadallah; and Page 4, para. 1, lines 1 – 4, “In the **History** bar, click the **Search** button. In the Search box, type the term or phrase you’re looking for, and click Search Now ...”, Microsoft). As stated in the Office Action dated June 14, 2006, the claimed invention has been rejected under 35 U.S.C. 103(a) combination of references. Specifically, the office action has relied on the Awadallah prior art to reject the history database feature. However, as stated in the 103 rejections above, since the Awadallah prior art does not explicitly disclose performing a search of a history database using the search query, the office action has relied on the Microsoft prior art to reject such feature.

4. Applicant argues that the prior art fails to disclose; “a history database that stores information regarding prior document accesses”.

Examiner respectfully disagrees. The combination of Awadallah in view of Microsoft does disclose a history database that stores information regarding prior document accesses (Page 4, and 5, [0039], and [0051], lines 6 – 15 and 12 – 15; respectively, wherein the previous search history corresponds to the history database claimed; and wherein academic links, and commercial websites of companies the documents claimed; Awadallah; and Page 1, para. 1, lines 1 – 7, wherein History list corresponds to the history database claimed, Microsoft).

5. Regarding “a history database”, applicant argues that the prior art fails to disclose; “performing a search of this information using a search query to obtain second search results”.

Examiner respectfully disagrees. The combination of Awadallah in view of Microsoft does disclose performing a search of a history database using a search query to obtain second search results (Page 4, and 5, [0039], and [0051], lines 6 – 15 and 12 – 15; respectively, wherein the previous search history corresponds to the history database claimed; Awadallah; and Page 4, para. 1, lines 1 – 4, “In the **History** bar, click the **Search** button. In the Search box, type the term or phrase you’re looking for, and click Search Now. Internet Explorer displays a list of all Web pages that include mention of that term in the address or on the Web page”, Microsoft; See also response to argument 3 discussed in this Office Action above).

6. Applicant argues that the prior art fails to disclose; “presenting search results, obtained by searching a history database based at least in part on a search query, and one or more advertisements relating to the search query.”

Examiner respectfully disagrees. The combination of Awadallah in view of Microsoft does disclose presenting search results (Page 2, [0020], lines 1 – 18, “...search results and a search result candidate may include any one of the combination of a space on a web page, advertisements, ... the number of displayable links on a webpage ...”; Awadallah), obtained by searching a history database based at least in part on a search query (Page 4, and 5, [0039], and [0051], lines 6 – 15 and 12 – 15;

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respectively, Awadallah; and Page 4, para. 1, lines 1 – 4, “In the **History** bar, click the **Search** button. In the Search box, type the term or phrase you’re looking for, and click Search Now. Internet Explorer displays a list of all Web pages that include mention of that term in the address or on the Web page”, Microsoft; See also response to argument 3 discussed in this Office Action above), and one or more advertisements relating to the search query (Page 2 and 5, [0020] and [0046], lines 14 – 18 and 1 – 4; respectively, “a search results page may contain advertisements that were generated in response to a query”, Awadallah)

7. Regarding limitations of claim 1, such as; “search results obtained by searching a history database based at least in part on a search query”, applicant argues that; “the provisional application (60/492,018) on which the Examiner relies for a date prior to Applicants filing data does not include paragraphs 0041 of Awadallah et al. and, therefore, cannot be relied upon by the Examiner”.

Examiner respectfully disagrees. As stated in this Office action and the Office Action dated June 14, 2006, the combination of Awadallah in view of Microsoft does disclose the claim limitations of claims 1 – 8, 10 – 13, 15 – 22, and 54 – 59. Specifically, the Awadallah reference and the provisional application (60/492,018) of such reference do disclose the features cited by the office action. For example, the combination of Awadallah in view of Microsoft does disclose: search results obtained by searching a history database based at least in part on a search query (See response to Arguments 5; and Fig. 1 and 2, Page 10, and 11, [0025], and [0028], “... each of results from

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source 1 (202), results from source 2 (204) ... are placed on a search results page in distinctly ... **mixture of results may be ordered according to a ranking** that takes into account each listings commercial value ..."; and "... **previous search history** ...", **Awadallah's provisional application (60/492,018))**.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Prior Art Made Of Record

1. Awadallah et al. (US Patent App. Pub. 2005/0027699 A1, filed: August 1, 2003) discloses listings optimization using a plurality of data sources.
2. Microsoft Corporation (NPL: "Find and Return to Web Page You've Recently Visited", Posted March 26, 2003, Internet Explorer, Microsoft Corporation).
3. Milic-Frayling et al. (US Patent No. 6,968,332 B1, filed: May 25, 2000) discloses a facility for highlighting documents accessed through search or browsing.

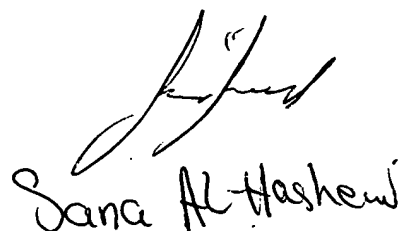
Points Of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna Colan whose telephone number is (571) 272-2752. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Giovanna Colan
Examiner
Art Unit 2162
November 28, 2006



Sana Al-Hashemi